

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

NCMIC INSURANCE CO.,

Plaintiff,
v.
RYAN D. SMITH, D.C., et. al,
Case No. 2:18-cv-533
CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

Defendants.

OPINION AND ORDER

On October 22, 2018, the United States Magistrate Judge issued a Report and Recommendation (ECF No. 20) recommending that Plaintiff's Motion for Default Judgment (ECF No. 19) be denied without prejudice, and that Plaintiff's claims against Defendant Synergy Chiropractic be dismissed without prejudice pursuant to Rule 4(m) for failure to timely effect service. The Report and Recommendation advised the parties that failure to object within fourteen days would result in a waiver of review by a District Judge. The time for filing objections has passed, and no objections have been filed to the Report and Recommendation.

Therefore, the Court **ADOPTS** the Report and Recommendation. (ECF No. 20). Plaintiff's Motion for Default Judgment is **DENIED WITHOUT PREJUDICE** (ECF No. 19), and Plaintiff's claims against Defendant Synergy Chiropractic are **DIMISSED WITHOUT PREJUDICE**. The Clerk is **DIRECTED** to remove Defendant Synergy Chiropractic from the case.

IT IS SO ORDERED.

DATE

11-28-2018

EAS
EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE